

**Minutes  
of the  
Stormwater Management Committee (SWMC)  
August 7, 2014**

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**8:00 AM**

**1600 Second Avenue North  
Metro Water Services Administration Building, 2<sup>nd</sup> Floor Conference Room**

**STORMWATER MANAGEMENT COMMITTEE**

**(Quorum Required: Four Members)**

**Committee Members Present:**

Ms. Elaine Bright – Vice Chairman  
Mr. Roy Dale, P.E. – Chairman  
Mr. Dodd Galbreath  
Mr. Slade Sevier, P.E.  
Mr. Monte Turner  
Mr. Lance Wagner, P.E.

**Committee Members Absent:**

Ms. Anna Maddox, P.E.

**I. CALL TO ORDER**

The meeting was called to order at 8:06 a.m.

**II. APPROVAL OF JULY 10, 2014 MEETING MINUTES AND DECISION LETTERS**

Mr. Dodd Galbreath moved, and Mr. Monte Turner seconded the motion to approve the July 10, 2014 meeting minutes and decision letters with an addition made to the minutes to reflect the recorded conversation or some summary of the recorded conversation for Case #201400010 in which the stormwater staff person involved was asked if mitigation for the site was adequate to approve the variance and staff said that it was. Ms. Elaine Bright, Mr. Roy Dale, Mr. Galbreath, Mr. Slade Sevier, Mr. Turner, and Mr. Lance Wagner approved the motion.

**III. STORMWATER MANAGEMENT COMMITTEE AGENDA**

*Comments were solicited from the Planning and Codes Departments for the following Agenda items.*

**1. 201400005 (Rehearing)**

Nashville Zoo – Visitor Entrance  
3777 Nolensville Pike  
APN: 13300000400

Inspector: Denice Johns

CD-26 (Chris Harmon)

**APPLICANT'S REQUEST:** REHEARING – Previously granted Variance #201400005 on May 1, 2014 with one of the conditions (Condition #2) requiring that no portion of the building can touch the Zone 1 buffer. The Appellant's request is to remove this condition from the variance and allow a portion of the building to be constructed within the Zone 1 buffer as originally shown on the Plan of Record. Original variance requests were to allow the following:

- 1) Disturbance and encroachment of the 50' stream buffer of Cathy Jo Creek (30' Zone 1 & 20' Zone 2) for construction of a portion of a building and installation of erosion prevention and sediment control (EPSC) measures.
- 2) Continuous maintenance of the buffer.
- 3) Construction of a light maintenance vehicle crossing over the stream <1,000' from an existing stream crossing.
- 4) Elimination of the requirement for installation of stream buffer signs.
- 5) Installation of a water quality Best Management Practice (BMP) in the buffer.
- 6) Elimination of the stormwater quantity detention requirement. The stormwater discharge for this project will flow to an existing lake on the property, and the parking lot expansion (constructed in 2008) reduced the post development peak flow an average of 7 cfs.

**APPELLANT:** Nashville Zoo (Mr. Rick Schwartz)

**REPRESENTATIVE:** Mr. Kevin Gangaware

**COMMENTS:**

**SW Staff:** Staff is aware that the applicant is involved with various watershed improvement projects on their site and that the Zoo also holds an Individual NPDES Permit (similar to a Concentrated Animal Feeding Operation, CAFO) which requires monitoring, sampling, annual reports and stormwater runoff requirements.

**CODES:** No comment.

**PLANNING:** Defer to Stormwater Staff.

**GREENWAYS:** Greenways will defer to Stormwater Staff's comments on this request.

Ms. Paula Kee (Secretary) read a letter submitted to the Committee from Mr. Tim Walker, Metro Historical Commission, stating that the Zoo sits on the land that was originally part of the Grassmere House and Farm, an early 19<sup>th</sup> century working farm. The house and its outbuildings, cemetery, and grounds, are listed in the National Register of Historic Places and also designated in 1999 by the Metro Council as a Local Historic Landmark District, requiring Metro Historic Zoning Commission review and approval of work in accordance with the Secretary of the Interior's standards for treatment of historic properties. He stated that the stone bridge located on Cathy Jo Creek west of the Zoo's administration building is denoted as a historic resource, and demolition would require approval from the MHZC and the applicable design guidelines would strongly discourage of the historic resource.

Mr. Rick Schwartz, Zoo President, gave a presentation which focused on Zoo attendance (past, current, and future), future attractions/exhibits, membership, the traffic congestion, the current visitor entrance and gift shop with the restrictions/limitations and the proposed redesign (ticketing booths, membership building, and gift shop), zoo funding, the zoo having been designed specifically around the creek, and the exhibits around the creek/ He stated that the hardships restricting moving or changing the gift shop design were the location of the main utility trunk line, the visitor parking lot, the existing entrance exhibit, the raised trail/boardwalk for zoo entry, the creek itself, and the animal/educational facilities (breeding cages, animal buildings, etc.).

Mr. Schwartz gave an overview of ongoing Zoo projects and proposed mitigation as described below and stated that the Nashville Zoo is the only zoological facility in the state that carries an NPDES permit and does water quality monitoring and has a comprehensive Stormwater Pollution Prevention Plan and Manure Management Plan.

- 1) The Zoo received a grant in 2009 to redesign the African exhibit, creating new stormwater areas to protect wet weather conveyances from sediment deposits and fecal matter. Invasive plants were also removed.
- 2) Mr. Steve Casey, Civil Environmental Consultants, gave an overview of a project being done in partnership with the Cumberland River Compact and others to treat a 116-acre offsite area near the northwest corner of the Zoo that includes some city streets and the Grassmere industrial park and other adjacent areas. Modifications to the existing detention pond on Zoo property along with flow control berms, riparian zone replacement and invasive plant removal are proposed.
- 3) The Zoo monitors the Nashville crayfish population through a U.S. Fish and Wildlife grant, and is also developing captive breeding protocols. The goal is to capture wild Shoupi and propagate them at the zoo, restore habitat and release them on Zoo property, and manage them on the property.
- 4) The Zoo is breeding Eastern Hellbenders in captivity.

Mr. Schwartz briefly discussed one difficulty in removing the existing bridge (if removed on the south side, there would be no access to it with heavy equipment unless the creek is crossed). There is also 10 feet of soil behind it. He stated that the condition to remove the existing bridge would be a detriment to the creek and asked that the condition be removed from the variance. He also stated there would be future exhibits that would touch the buffer.

Ms. Elaine Bright asked to see a floor plan of the gift shop; however, one was not available. Mr. Roger Lindsey (SW - Development Review) stated that the level of mitigation (three-mile reach of stream) was orders of magnitude more mitigation than what would typically be considered necessary if a streambank buffer area was being damaged. Mr. Michael Hunt (SW-NPDES) stated that the Committee might consider a more holistic view of the Zoo and everything in totality that they are doing based on equal or greater offset and is the stream improving, and a valid case for that was made.

Mr. Dodd Galbreath moved to approve as presented. Mr. Monte Turner seconded the motion. Ms. Kee mentioned the previous decision letter and conditions and asked if he meant to approve with allowing the building in the Zone 1 as requested and removal of the condition to remove the existing bridge. Mr. Lance Wagner stated that now that it is a historic structure, that changes it. Mr. Galbreath stated the orders of magnitude of offsetting mitigation offsets the original condition of removing the bridge. There was additional discussion regarding the approval. It is the same approval, as granted on May 1, 2014, except for removal of previous Conditions #2-3 (The building shall be allowed in the Zone 1 buffer as shown on the original Plan of Record, and the existing culvert and associated impervious surface shall remain.).

Mr. Wagner and Ms. Bright asked about removal of the 300+ sq. ft. of building out of the Zone 1 buffer and relocating it elsewhere and why that was not possible. The gift shop was discussed further, and Mr. Schwartz stated that because of the smaller footprint, the existing gift shop did not have storage. The front of the gift shop is utilized as a stroller/cart/wheelchair rental area. Ms. Bright asked why the rental area could not be moved further outward and the 300 sq. ft. added on that side of the building. Mr. Schwartz stated that there was already a nearby checkout station, and the biggest issue is that the plaza area is necessary to accommodate the crowds. Access is also needed to move an emergency vehicle through the crowds. They have also not been able to incorporate any benches into the area because it also impedes traffic flow. There was additional discussion regarding moving the sq. footage out of Zone 1 and why it was not possible. Mr. Schwartz stated there were a lot of reasons such as the need for the architectural roof lines and the landscaping/future botanical garden would be minimized.

Mr. Turner stated that 1) too many things going on that do not allow for a revised building design, 2) the Zoo providing a greater good for the health of the creek, and 3) other acreage draining to the detention were reasons to approve the variance. Mr. Galbreath stated that the reason he arrived at his conclusion is that the qualitative and functional focus of improvements to the ecological attributes of the site far outweigh the zoned non-qualitativeness of the buffer. Ms. Rachelle Gallimore-Scruggs (Metro Legal) stated that one of the factors for the Committee to consider in granting a variance is the relationship of the proposed use to the comprehensive plan and master drainage plans for that area (SWMM, Vol. 1 – Regulations, Section F1.1.2). The motion was approved by Mr. Roy Dale, Mr. Galbreath, Mr. Slade Sevier, Mr. Turner, and Mr. Wagner. Ms. Bright voted against the motion.

In summary, the variance was approved with the following revised Conditions #1-4 and standard Conditions #5-7:

1. Variance Request #4 (elimination of the buffer signage requirement) is denied. Buffer signage shall be required.
2. The footprint shall stay the same (i.e., no additional buffer disturbance; however, changes to the footprint outside of the buffer are allowed).
3. If there are any other new variances that result from the above changes to the plan, the Appellant shall return to the Committee.
4. The Appellant shall provide a copy of the final approved plan to the SWMC secretary to ensure conformance with the granted variance.

5. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to MWS Stormwater – NPDES Office, in writing (referencing Variance #201400005), once plantings are installed per approved variance plans and again once plantings have been found to meet a two full growing season requirement. The owner shall maintain a minimum of 75 percent survivability of plantings through two full growing seasons.
6. This variance will expire on August 7, 2015. However, if a Grading Permit, Stormwater Single Family Permit, or Building Permit is issued within that period, the variance expiration date will run concurrent with that permit expiration date.
7. The Appellant is reminded that no construction or disturbance should commence prior to obtaining any applicable Grading Permit or Stormwater Single Family Permit from Metro Water Services and any or all applicable Building Permits from Metro Codes.

The reasons for approval are: 1) the qualitative and functional focus of improvements to ecological attributes of the site far outweigh the zoned non-qualitative emphasis of the buffer and 2) the existing bridge is a historic structure.

**\*Note:** The Appellant is reminded of the requirement to submit the overdue annual BMP report (Nashville Zoo – Flamingo Barn, Grading Permit #201000019) prior to the pre-construction meeting for Nashville Zoo – Main Entrance Phase 2 (Grading Permit SWGR T201200131), as specified as a condition of approval for Variance #201400004, granted May 1, 2014.

**2. 201400009**

Harpeth River Greenway Parking  
0 Old Harding Pike  
APN: 15600000300  
Inspector: Phil Saad

CD-35 (Bo Mitchell)

**APPLICANT'S REQUESTS** – Previously deferred on July 10, 2014. Original variance requests were to allow the following for construction of a 60' x 200' gravel lot to service the existing Harpeth River Greenway:

- 1) Disturbance of the floodway and 75' floodway buffer.
- 2) Waiver of water quality and detention requirements.
- 3) Continuous mowing and maintenance of the buffer.
- 4) Allow previously planted trees to count as mitigation located in the Harpeth River floodway. New buffer trees were installed in mass groups at various locations along the greenway as part of the recently completed portion of the greenway in May 2014.

The Appellant now requests the following variance requests based on a revised Plan of Record for construction of an asphalt parking lot to service the existing Harpeth River Greenway and approval of a revised Plan of Mitigation with additional plantings.

- 1) Disturbance of the floodway and 75' floodway buffer.
- 2) Waiver of water quality and detention requirements.
- 3) Continuous mowing and maintenance of the buffer.
- 4) Approval of a revised Plan of Mitigation.

**APPELLANT:** Metro Parks Dept.

**REPRESENTATIVE:** Mr. Jason Deal

**COMMENTS:**

**SW Staff Comments (based on resubmittal):**

Staff recommends that at least a 50% water quality unit be installed in addition to the grass channel and that both features be added in the Metro Water Services-Metro Parks Memorandum of Understanding (MOU) for Post Construction BMP Maintenance.

**CODES:** No comment.

**PLANNING:** Defer to Stormwater Staff.

**GREENWAYS:** Greenways will defer to Stormwater staff comments on this request.

Mr. Thomas Cooper, 433 Westfield Drive, Nashville, submitted comments by email stating that an alternative to parking for 50+ vehicles at the access to the Greenway at Old Harding Pike would be to calm traffic on Old Harding Pike from Sawyer Brown to the Greenway and provide protected cycle lanes. This would give walking and biking access to >1000 Bellevue residents who live nearby. He stated that the lot would be used primarily on weekends and lies idle during the week and questioned if the project is a long-term and sustainable answer to connecting the Greenways for all potential users.

Mr. Jason Deal gave an overview of the revised Plan of Record and variance requests. He stated that a water quality unit was considered; however, it was not incorporated because:

- 1) The site is in the floodway. The system would have to be done by gravity, and they are restricted from elevating the lot – it must be kept at or below grade. The unit would have to be installed lower than the parking lot and be prone to flooding and maintenance.
- 2) The parking lot will be crowned to drain to both sides and ultimately route to the existing ditch, but the ditch is so shallow, they would have to install a different outfall from a water quality unit into the Harpeth River and less desirable than utilizing the ditch.

Councilman Charlie Tygard, Councilman-At-Large, stated that having sponsored the original Greenways legislation in 1990, the popularity of Greenways is very satisfying. He stated that he drove by that morning and saw that the existing seven parking lot spaces were full, along with eight additional cars illegally parked along Old Harding. Parking is needed not just on the weekends but from dawn to dusk. In his opinion, cycling along the two-lane heavily traveled road, with no shoulders, is very dangerous. The new parking will eliminate a safety issue in addition to being a convenience. In speaking with the Mayor's office and Public Works, the solution for Old Harding is an expensive and long-term plan and will require a lot of public input. The short-term solution is the parking.

There was discussion regarding the proposed number of parking spaces, the Greenways Master Plan, cycling within the area, and the project being a short-term versus long-term solution.

Staff's comments were discussed. Staff had suggested installing a modified grass swale with baffles to attenuate the flow and allow more infiltration and also install a 50% water quality unit. Staff was not in favor of no water quality at all, but considered the applicant's concerns. There is high pollutant runoff from a parking lot. Filters would probably require maintenance after every heavy rainfall, but a 50% unit could at least collect some floatables and require normal maintenance versus having a media in it that would have to be replaced every time there is a heavy rain. The Committee asked if the current grass swale would qualify as 50% treatment, to which Staff responded that a five-minute residence time is required. There was no supporting information submitted by the applicant to show that. Mr. Deal stated that it could be verified. There was further discussion regarding water quality treatment, and Staff stated that whatever is decided needs to be included in the MOU.

Mr. Wagner asked about having signage to which Mr. Deal responded yes, and they would also be installing an access control gate at the entrance.

After discussion and review of the information presented, Mr. Lance Wagner made a motion to approve as presented with the following Conditions #1-4 and standard Conditions #5-7. Mr. Monte Turner seconded the motion. The motion was approved by Ms. Elaine Bright, Mr. Roy Dale, Mr. Dodd Galbreath, Mr. Slade Sevier, Mr. Turner, and Mr. Wagner.

1. The Appellant shall submit calculations to Staff showing that the water quality swale meets the definition of at least a 50% TSS removal.
2. The Appellant shall place signage alerting people who park there that the parking lot is in a floodway, with at least an educational component to that signage stating that they are in the buffer (do not to litter, everything washes directly to the river, etc.). The Appellant shall coordinate with Staff on review and approval of the final wording for the sign detail.

3. The Appellant shall add the BMP (water quality swale) to the Metro Water Services-Metro Parks Memorandum of Understanding for Post Construction BMP maintenance.
4. Continuous mowing and maintenance of a six-foot wide strip between the edge of the lot and buffer shall be allowed as a condition of this variance.
5. The Appellant shall have the landscaper who installs the required mitigation plantings to certify to MWS Stormwater – NPDES Office, in writing (referencing Variance #201400009), once plantings are installed per approved variance plans and again once plantings have been found to meet a two full growing season requirement. The owner shall maintain a minimum of 75 percent survivability of plantings through two full growing seasons.
6. This variance will expire on August 7, 2015. However, if a Grading Permit, Stormwater Single Family Permit, or Building Permit is issued within that period, the variance expiration date will run concurrent with that permit expiration date.
7. The Appellant is reminded that no construction or disturbance should commence prior to obtaining any applicable Grading Permit or Stormwater Single Family Permit from Metro Water Services and any or all applicable Building Permits from Metro Codes.

The reasons for approval are that: 1) it will be a short-term solution to help a public safety issue on the road, and 2) the parking lot will be more stable and secure.

3. **201400013**

River Road Horse Farm  
7838 and 7934 River Road Pike  
Map 77, Parcel 27 and Map 78, Parcel 110  
Inspector: Phil Saad

CD-35 (Bo Mitchell)

**APPLICANT'S REQUESTS** – Variance request is to allow the following for construction of two farm ponds:

- 1) Disturbance (impoundment) of portions of two existing intermittent streams and their stream buffers, 30' (Zone 1) and 50' (30' Zone 1 & 20' Zone 2), respectively, for the construction of two dams. The ponds have already been granted an exemption from permitting from USACE and TDEC due to their agricultural use.
- 2) Continuous mowing and maintenance of the existing and created buffers.

**APPELLANT:** Jeremiah Faith Land Trust

**REPRESENTATIVE:** Mr. Jeff Conar

**COMMENTS:**

**SW Staff:**

- 1) The potential water quality impacts of in-stream detention should be considered particularly with regard to outlet structure configuration. Outlet structures that oxygenate the water - among other practices - can mitigate certain impacts.
- 2) Staff is uncertain if the use of drop log structures will function as mitigation in lieu of maintaining a constant low-flow stream flow regime below the dams.
- 3) If livestock are to have direct access to the streams, Staff recommends that the applicant coordinate with TN Dept. of Agriculture Nonpoint Source Section on the use of measures/practices to keep livestock out of streams – which can serve to preserve stable streambanks and promote overall water quality.
- 4) The new 25' pond buffers are shown on Sheet C1.00 (Overall Site Layout Plan). If the variance is approved, Staff recommends that ponds and pond buffers (in addition to the stream and stream buffers) be delineated and labeled on each applicable Detailed Site Grading and Drainage Plan sheet.

**CODES:** No comment.

**PLANNING:** Defer to Stormwater Staff.

**GREENWAYS:** Greenways will defer to Stormwater staff comments on this request.

Mr. Michael Wrye gave an overview of the existing site, the proposed project, and the variance requests and proposed mitigation. There was discussion regarding stream determinations and other conveyances on the property, the agricultural exemption (by the Corps and TDEC), the existing springs and the quantity of flow into and out of the ponds, and the quality of water out of the ponds and potential for 303d List impacts. Mr. Dodd Galbreath stated

that if the structures are not going to impede flow except for the times they're filling and the time going from drought status (half-full) to full, and if it is primarily an ephemeral stream from the end of the lakes to the spring, then most of the flow is coming from the spring and most of the water quality assessment would come from the stream down. Mr. Michael Hunt stated that this was information Staff was not aware of when the application was submitted. Part of the concerns would be alleviated if there is flow originating within the streambed down-gradient of the proposed ponds.

Mr. Lance Wagner asked about the height requirement with regard to the TN Safe Dams Act to which Mr. Wrye replied that it did not apply because they will be solely contained on one piece of property for one property's use. Mr. Wagner expressed concern stating that he would want an emergency spillway from underneath to drain the ponds quickly in case of a catastrophic failure. Mr. Wrye stated that the problem with going through the dam is potentially providing an avenue for piping which could degrade the dam and add to the likelihood of catastrophic failure and there will already be a struggle to collect enough water. Mr. Dale asked if they would do wells around the lake, to which Mr. Wrye stated they would probably do what they can with wells.

There was additional discussion regarding the springs and how they are possibly fed (possibly by multiple infiltration points and fractures in the watershed geology). Mr. Galbreath stated that it may be hard to say definitively that the primary spring would be definitely affected by the construction of the dam. He commented that Staff had stated that they had learned new information and through discussion, the Committee has ascertained that the lakes will not be affecting water flowing into the stream that often and there is likelihood that the primary spring will not be affected significantly. He wondered what other issues they have to deal with since the State and federal government have exempted it from regulation. There were discussions regarding where the earth is coming from to create the dam, the extent of the watershed boundary on the owner's property and flows downstream of it, and impounding the stream. Mr. Wrye stated that the only flowing water into the stream is subsurface, and there is no intention to impact that – they will only be intercepting what they can collect behind the dam.

Mr. Michael Hunt (Stormwater – NPDES) stated that the site is very proximate to the river. One of the things Staff discussed was that, although exempt from the Safe Dams Act, what is the risk? Staff's opinion is there is very little, if any, risk for failure, given it is so close to the river, the size of the conveyance, and there is a culvert under a roadway which would act to dampen the flow.

Mr. Wrye stated that the channel that flows would be fenced and the buffer supplemented with the plantings. There was a brief statement by Staff on the specific stream determinations done for the site.

Mr. Monte Turner moved to approve with the following standard Conditions #1-2, based on the fact that the Committee could not discern any ill effect of the ponds. Mr. Roy Dale seconded the motion. Ms. Elaine Bright, Mr. Dale, Mr. Dodd Galbreath, Mr. Slade Sevier, and Mr. Turner voted in favor of the motion. Mr. Lance Wagner voted against the motion.

1. This variance will expire on August 7, 2015. However, if a Grading Permit, Stormwater Single Family Permit, or Building Permit is issued within that period, the variance expiration date will run concurrent with that permit expiration date.
2. The Appellant is reminded that no construction or disturbance should commence prior to obtaining any applicable Grading Permit or Stormwater Single Family Permit from Metro Water Services and any or all applicable Building Permits from Metro Codes.

**4. 201400016**

Chris-More Incorporated  
7115 Cockrill Bend Boulevard  
APN: 07900002100  
Inspector: Phil Saad

CD-20 (Buddy Baker)

**APPLICANT'S REQUESTS** – Variance request is to allow retrofitting of the warehouse portion of an existing substantially damaged building to be compliant with FEMA Technical Bulletin 7 as a wet floodproofed structure with the first floor elevation to remain at 407.6'. The base flood elevation of Richland Creek = 409.0'.

**APPELLANT:** Barge Cauthen & Associates

**REPRESENTATIVE:** Mr. Barry Quinn

**COMMENTS:**

**SW Staff:** Staff recommends that if the variance is approved, roof drains be directed to discharge to the landscaped mitigation area, if possible.

**CODES:** No comment.

**PLANNING:** Defer to Stormwater Staff.

Mr. Barry Quinn introduced other meeting attendees – Mr. Robin Hood (Architect), Mr. Jerry Priester (Contractor), and Mr. Bob Christiansen (Owner). Mr. Christiansen gave an overview of the company and the proposed use of the Nashville facility. Mr. Quinn gave an overview of the proposed improvements to the existing structure and the variance request. He stated that the plumbing supply equipment in the rear warehouse portion will be elevated on a rack system to limit the potential for damage. There was discussion regarding the proposed mitigation - removal of a portion of asphalt from the front of the building, along with a landscaping plan. Ms. Elaine Bright asked if there would be any problem redirecting roof drains to the new landscaped area, per Staff's comment. Mr. Quinn stated that they did not have a survey at this time and was not sure it would work based on the grades – it might be too high to discharge by surface drainage. Currently, they are downspouts to grade into the parking lot. Mr. Steve Mishu (Stormwater) clarified that Staff wanted the front roof drains to go through the grassy areas (overland flow).

Mr. Galbreath made a motion to approve the variance request with the following Condition #1 and standard Conditions #2-4. Ms. Elaine Bright seconded the motion. The motion was approved by Ms. Bright, Mr. Dale, Mr. Galbreath, Mr. Sevier, and Mr. Turner, and Mr. Lance Wagner.

1. The roof drains (on the front building) shall be directed to discharge to the landscaped mitigation area if it is determined, by working with Stormwater Staff, that it is technically feasible.
2. The difference between the base flood elevation (BFE) and the elevation to which the structure is to be built is 1.4'. The Appellant is reminded that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and such construction below the base flood level increases risks to life and property.
3. This variance will expire on August 7, 2015. However, if a Grading Permit, Stormwater Single Family Permit, or Building Permit is issued within that period, the variance expiration date will run concurrent with that permit expiration date.
4. The Appellant is reminded that no construction or disturbance should commence prior to obtaining any applicable Grading Permit or Stormwater Single Family Permit from Metro Water Services and any or all applicable Building Permits from Metro Codes.

The reason for approval is that they are removing impervious area.

#### **IV. ITEMS OF BUSINESS**

1. Ms. Paula Kee, Secretary, asked Committee members if they were agreeable to having future meetings held at the Metro Office Building, possibly starting in November. They were all in agreement.
2. Mr. Michael Hunt stated that there was an issue last month when the state issued an ARAP permit and when it reached Metro, there was an additional level of scrutiny. He contacted Jimmy Smith (TDEC) to start discussions on how they might reconcile these issues and determine when an applicant receives TDEC approval, the applicant is good with Metro too.
3. Mr. Roy Dale asked about consent agendas and if they had been discussed before, to which Ms. Kee responded that there was a consent agenda during earlier years of the SWMC; however, many of the



repeated variance requests were eventually added to the list of permissible buffer disturbances, with conditions, within the Stormwater Management Manual (Vol. 1 – Regulations, Ch. 6). She also stated that per FEMA guidance, variances should be granted on a case-by-case basis. There was brief discussion, and the consensus was that they are not at a level to need a consent agenda.

4. There was additional discussion on staff's role in providing information to the Committee. Mr. Dodd Galbreath suggested that one way to help staff and the Committee get more transparency without being the author of the information is to put more emphasis on the applicant providing more information. It provides a factual, level playing field by which everyone can assess it (the case) better. He provided further clarification stating that he did not want a position from staff, but information that he does not know.

## V. ADJOURNMENT

The meeting was adjourned at 10:34 a.m.

Metropolitan Stormwater Management Committee

Approved:

By: \_\_\_\_\_  
Secretary

Date: \_\_\_\_\_